

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

J. CONSTANCIO ZAPATA, §
§
Plaintiff §
§
v. § Civil No. 3:07-CV-98-K (BH)
§
COMMISSIONER OF SOCIAL §
SECURITY ADMINISTRATION, §
§
Defendant. §

ORDER

After making an independent review of the pleadings, files and records in this case, and the Findings, Conclusions, and Recommendation of the of the United States Magistrate Judge, I am of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct and are adopted as the Findings and Conclusions of the Court. The Government filed a Notice to the Court on May 20, 2008, and has stated that no response to the Findings, Conclusions, and Recommendation of the Magistrate Judge, will be filed.

It is therefore **ORDERED** that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are adopted. Accordingly, Plaintiff's motion for summary judgment is hereby **GRANTED**, and Defendant's motion for summary

judgment is hereby **DENIED**. Accordingly, the decision of the Commissioner is hereby **REVERSED** and that this case is **REMANDED** to the Commissioner for further consideration .

SO ORDERED.

Signed: May 20th, 2008.

Ed Kinkeade
ED KINKEADE
UNITED STATES DISTRICT JUDGE